

File 2159

May 5, 1893
1-5-93

Travis

PRE-EMPTION.

Act 5 - 701

August Schumacher

✓ 65 Acres

Act May 26, 1873.

According to Decree of
Court in P 3d 40: Correct
on map of Hayes County
January 3/95 Norman Chester

Patent to Original
12/9/95 J. W. C. Hobson

Patented Dec 9/1995
No. 2180028 Dawson
Vol XVI + 19 gl. 26881

M.W.A. Ptd. Reg. 9/19/95

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6. Proof Occup 12/4/95

^{Rowan}

\$5 " Dec 12/13/95
by C. A. Grood
Austin Tex

John W. C. Hobson
Edmond Monroe
William Dawson
Filing fee due

State of Texas
County of Hays

Before me Jas G. Storey
Clerk of the County Court of Hays
County Texas on this day Personally

Appeared Augustus Schumacher a resident of
Hays County who being duly sworn by me states
that he is now living upon 60 acres of land situated
upon the water of Purgatory creek about 12 miles
northwest from the town of San Marcos that he
has taken up and settled upon the same for the
purpose of obtaining a homestead under articles
3139 revised statute, and he further claims the same
for himself in good faith under the laws granting
homestead donations and that he is without any
homestead of his own and that he believes the
same to be vacant and unappropriated public
domain and that he is the head of a family -

The said land is described as follows, Beginning
at a point 470 varas East of the North West corner
of the Rebecca Mills Survey N°103 Thence south
to the more line the South line of the Randers &
Williamson Survey so sold and claimed by them
Thence East 704 varas to the S.E cor of the 100 acres
purchased from Williamson Thence South 480
varas to north line of Rebecca Mills Survey
Thence West 704 varas to the place of Beginning
Augustus Schumacher
Malk

Sworn to and subscribed before me this 9th September
1892 In testimony whereof I hereunto set my hand and
Seal of Office this the 9th September 1892

Filed Sept 9th 1892

Recorded in B.O.D record of
Description page 157

JAS G. STOREY

County Surveyor
Hays Co Tex

File 2159
Travis Pre
August Schumacher
affidavit

Filed Dec. 1/92

Bra Braudette
Chief Clerk

RECEIVED
CLERK'S OFFICE
TRAVIS COUNTY TEXAS
DECEMBER 1 1992
RECEIVED
CLERK'S OFFICE
TRAVIS COUNTY TEXAS
DECEMBER 1 1992
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TRAVIS COUNTY TEXAS
DECEMBER 1 1992

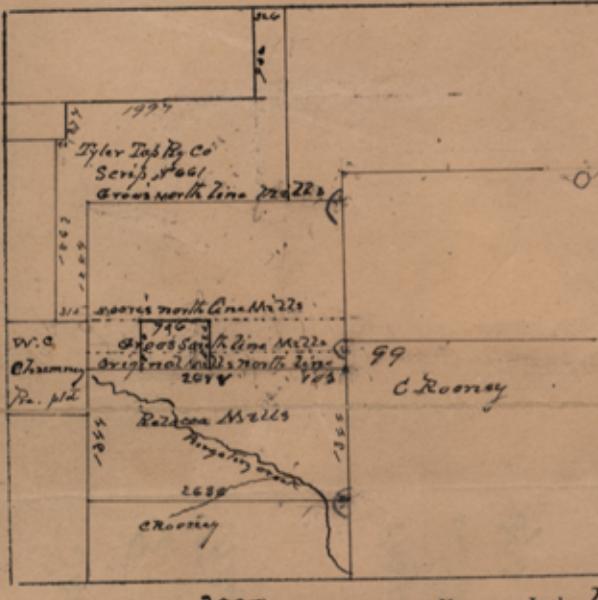


THE STATE OF TEXAS.
COUNTY OF HAYS.

Survey

No. 218

Field Notes of a Survey of .65 acres.....
of Land, made for
Augustus Schumacher
by virtue of his homestead
Application N° 218



SCALE 2000 Varas per Inch. 249 1/10 East

Said survey is No. 218....., in Hays..... County, Texas, situated on the waters of Purgatory River....., a tributary of San Marcos..... River, about 12 miles N. 71° W. of San Marcos....., beginning at a point on the north line of the Rebecca Miles Survey N° 103, as said line was originally located by Bartlett Sims, 470 varas from the Miles' North West corner, from which point, an Elm 5 inches in dia. mtd & bro. 53° 16' W 8 1/2 Varas, and a Live Oak sprout, 3" dia & bro. N 48° 45' W 4 1/10 varas, thence East, with said north line 706 varas, to a stone and from which a Forked L. O. 3 inches in dia, bro. N 64 1/2 W 20 4/5 varas, thence north, 570 varas to a stone mound, on Moore's north line of said mile survey, from which mound, a L. O. 12 inches in dia, bro. 856° W 53 4/5 varas. Thence west with said Moore line, 706 varas, to a stone mound, from which a Live Oak 10 inches in dia, bro. S. E. 13 2/5 varas. Thence south, 570 varas

to the place of the beginning.

Bearings marked: X

Surveyed September 1st 1892

Simon Irons
James E. Shelton

} Chain Carriers.

I, J. H. McNutt, County Surveyor of Hays County, Texas, do hereby certify the foregoing described survey was actually made by me on the ground, according to law, on the date, and with the chain-carriers aforesaid, duly qualified, and that all the corners, lines, boundaries and marks of the same, whether natural or artificial, are as described and set forth in above Sketch & Field Notes
John H. McNutt
Co. Surveyor, Hays Co., Tex
By..... Deputy.

Filed for record on 6th day of November 1892
At..... o'clock, M. in Book D Record
of surveys Page 393

John H. McNutt Surveyor.

File 2159
Travis Pre
August, Schumacher
Field Notes
Filed Dec. 1/92

Mr. Braulite
Chief Clerk
According to Deed
of Court in 3d 40.
located on map of
Hayes County
July 3/95 Hammon Russler

Patented Dec. 9/115

Dawson
12
13
92

94,000 ft² C.S. Rock to lot
393 Recreational property -
in one Office in Book D page
SHELF & SHELTER ON THE PROPERTY
CO. L
65 acres in shape being
the far Hannover
SHELF AND SHELTER ON THE PROPERTY



J. H. McNutt,
Office in Court House.
COUNTY SURVEYOR
OF HAYS COUNTY.

SAN MARCOS:---Population 2326. Well located, fine schools and churches, society excellent
Electric lights and all the modern improvements.
HAYSCOUNTY:---Population 11,236. fine farming country. Stock raising profitable. Good grass
Lands well watered, Best society, enterprising people.

San Marcos, Texas, 189

C. Rooney N^o 101 a survey lying South of the Mills, becoming cognizant of the facts, brought suit for the recovery, of what they were led to believe, was the C. Rooney Survey - In preparing for a defense, by the people living on the Mills, A. M. Erskine, County Surveyor of Guadalupe County Texas and myself were employed, to resurvey the premises, Our survey confirmed the Lindsey survey, as being on ^{the} ground, where it had been originally placed by Sims, to offset our survey, the plaintiff employed Dennis Corwin of Austin, to make a survey. After making his survey, he reported, that he could find nothing to move the Mills, from the Lindsey location, but on the contrary, considerable evidence, that said survey was properly located, Accepting this exhaustive work as conclusive, the land lying between Lindsey's north line, and the south line of Groo's location, of the Tyler Tap Ry. Scrip, must necessarily be vacant, this assumption Mr Schumaker files upon his homestead, which he bought and paid for, ~~and~~ occupied for over 20 years

While this explanation is lengthy, I do not see how I could say less, and enable anyone to understand the plot, and actual condition of the lines,

Respectfully Submitted
Jno H. McNutt

C. S. Hays Co. Texas

112
File 2159
Travis Pre
August Schumacher
Survivors Letter

Filed Dec. 1/92

Wm Braudette
Chief Clerk

as per memo above
- over now
Schumacher
etc. to all



J. H. Mc Nutt,
Office in Court House.
COUNTY SURVEYOR
OF HAYS COUNTY.

BB 60

SAN MARCOS:--Population 2326. Well located, fine schools and churches, society excellent
Electric lights and all the modern improvements.
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Lands well watered, Best society, enterprising people.

San Marcos, Texas, Nov 10th 1892

To Wm L McGehee
Comrⁿ of Genl Ld Office
Austin Texas

Dear Sir

In explanation of the Schumacher Survey,

it is necessary to give something of a history of the up & down of the Rebecca Miles Survey -

In 1847 Bartlett Sims Located the Miles N^o 103, about the year 1850, Andrew Lindsey (for a long time District Surveyor,) who owned the miles survey (640 acres,) sold the same to a man by the name of Williamson, who required a resurvey of the premises, after Lindsey made the resurvey Williamson was satisfied, and the trade was made, some years or more, afterwards a man by the name of Enoch Moore (an old County Surveyor of this County) In making a survey for some purpose, placed the north line of the Miles 520 varas north of Lindsey's north line, Williamson without letting ^{lose} from the Lindsey South line, (having probably transferred some of the land resting up Lindsey's line) quietly absorbed the surplus, lying between the Lindsey north line, and Moore's line, some of this land was transferred, Augustus Schumacher, becoming owner of 65 acres, In 1888 Mr Otto Groos, (who was at the time Co. Sur. of this County) made a survey, based upon one of Bart. Sims calls, making the C. Rooney of 99 N.E cr, and the N.W cr of the James Alston N^o 90, common corners, thus throwing the Miles over 1500 varas north of its original position, placing the south line miles north of Lindsey's north line. The parties owning the



J. H. Mc Nutt, *1885*
Office in Court House.
COUNTY SURVEYOR
OF HAYS COUNTY.

1885

SAN MARCOS:---Population 2326. Well located, fine schools and churches, society excellent
Electric lights and all the modern improvements.

HAYSCOUNTY:---Population 11,238, fine farming country, Stock raising profitable. Good grass
Lands well watered, Best society, enterprising people.

San Marcos, Texas, Dec 19th 1894

M. L. McLaughley
Comm'r Seal & Office
Austin, Texas

Dear Sir

Referring to
the Schumacher file - in accordance
with instructions, conveyed in a commun-
ique sent (received this morning) from
the Seal & Office, I have obliterated the
falling word from Schumacher's Notes,
as recorded in my Office, "on a line that
was run by Enoch Moore, as the north line
of the Rebecca Mills." The notes now read,
Thence north, 520 varas to stone mound, from
which &c

Rsp^t John H. Mc Nutt
C. S. Hays Co. Tex

2159 Trav. P.

File 2109. (5)
Groves vs
Surveyor's Statement
August Schumacher
Filed Dec 21/1894

Notary Public

Chas Beck

*Commissioner of Pleas 1/3/95
H. Beck*

THE STATE OF TEXAS,

COUNTY OF Hays

Before me, the undersigned authority, in

and for the county aforesaid, this day came and personally appeared Augustus Schumacher, a resident citizen of said county, who, being by me duly sworn, declares that he is a bona fide settler upon 65 acres of vacant public land, situated in said county, and surveyed for Augustus Schumacher on the First day of September 1892, by John H. McNutt, Surveyor of said county; that he has occupied and improved the same as a homestead for the period of three consecutive years, beginning on the 9 day of September 1892; that he is Head of a family and that he makes this affidavit for the purpose of obtaining a title to the same for a homestead, under "An Act for the benefit of actual occupants of the public lands," approved May 26, 1873, and that he has not a homestead other than the above.

And also at the same time came and personally appeared E P Raynolds and R S Fortson, two credible resident citizens of said county, to me well known, who being duly sworn, depose and say that Augustus Schumacher the person first above named in this affidavit, has actually settled upon and cultivated as a homestead the land surveyed for him on the 1st day of September 1892, by the surveyor aforesaid, for the period of three years, and they, nor either of them, have any interest in the said land.

Augustus Schumacher
B. P. Raynolds
R. S. Fortson

Sworn to and subscribed before me, and I hereby certify that E P Raynolds and R S Fortson are credible and trustworthy citizens of said county.

In Testimony Whereof, I have hereunto set my hand and affixed

the impress of my official seal, this the 2nd day of

December 1895
Jas. G. Stoney
Seal of Hays Co. Texas



July 12, 1900

June 20, 1940 - The weather was cool and cloudy. I had a good time at the beach.

Porc

THE STATE OF TEXAS.

1 file 2159
Travis Preemp.
A. Schumacher
Goof Occup.
Filed Dec. 4/95
Raker
Cornel.
J. H. Powell File/CC

North Line Mills acc. to Moore.

| | | |
|---|------|------------------------------------|
| August. Schumacher. P. 2159 | 2688 | BJ. 11-514 E 14 LO. 2 N 32 W 13 |
| 470 → North Line Mills acc. to Lindsey. REOCHSIE 37 R. 28 S. H. 19. | 103. | Rebecca Mills. |

The Court ruled that the Rebecca Mills,
as established by Lindsey to be the correct
position of said Survey. (See Decree in file 40 Trans 3d)
Nov. 9th 1894.

IRON 2 B.C.
L.P. 5128

File- 2159

Travis Pre.

Sketch.

Nov 21 1894

position of iron plaque (200' below water) (200' below water)
Compiled in Office
H.P. Nov 9/94. W.H.W.

| W.H.W. | | | |
|--------|-----|-----|-----|
| 100 | 100 | 100 | 100 |
| 100 | 100 | 100 | 100 |
| 100 | 100 | 100 | 100 |